

PUBLIC MEETING – Wednesday, May 23, 2012 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, May 23, 2012, at 8:00 p.m. in the Council Chambers of the Municipal Building.

Agenda: (May be subject to change)

1. CALL TO ORDER /ROLL CALL

This meeting is called pursuant to the provisions of the Open Public Meeting Law. This Meeting was included in a list of meeting notices sent to the Bergen Record and advertised in said newspaper in January, posted on the bulletin board in the Municipal Building, and has remained continuously posted as the required notices under the Statue. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

In accordance with the New Jersey State Fire & Safety Code I call your attention to the lighted exit signs. In the event the alarm sounds, move in an orderly manner toward the exit nearest you and leave the building.

**Council Member O’Hagan – absent
Council Member Orseck – present
Council Member Biggs – present**

**Council Member Pazan – present
Council Member Surrago – present
Council Member Nogara – present**

2. FLAG SALUTE/ANNOUNCEMENTS

Resident Jake Lachenauer led the Council and audience in the flag salute. Jake also read a letter to the Council regarding his concern with dog owners who do not pick up after their dog.

At this time the Mayor and Council honored the following residents for their participation in the Annual Library Read-a-thon. The total amount raised was \$12,200 which will be used for various programs and equipment at the Library. Additionally, 13,600 books were read by 495 children.

**Ella Torsiello – Future Reader
Julius Vatel – Kindergarten Student
Elena Jacoby – First Grader
Abigail Reed – Second Grader
Ryan Hornish – Third Grader
Piush Sarkar – Fourth Grader
Emma Mangino – Fifth Grader
Alexander Crisafulli – Pair of Siblings
Ryan Crisafulli – Pair of Siblings
Noah Inbar – Three Siblings
Tamara Inbar – Three Siblings
Miriam Inbar – Three Siblings
Thomas Corazza – Most Money Raised
Clara E. Coleman – Greatest Percentage of Participants**

3. CONSENT AGENDA

All items listed are considered to be routine and non-controversial by the Borough Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies adoption of all resolutions, received and filed letters, correspondence, reports and approval of applications and minutes.

Resolutions:

1. Resolution for Approval of Minutes (5/9/12)

Resolution No. 121-12
Offered by Council Member Surrago
Seconded by Council Member Biggs

BE IT RESOLVED, that the Minutes of:

May 9, 2012

Be accepted as submitted.

ROLL CALL:

Council Member O’Hagan - absent	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago - yes
Council Member Biggs – yes	Council Member Nogara – yes

2. Resolution Payment of Bills

Resolution No. 122-12
Offered by Council Member Surrago
Seconded by Council Member Biggs

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$ 9,523,102.44.

Board of Education	\$ 6,707,035.00
GR Payroll	521,910.18
NJSHBP	162,645.85
P.S.E.&G.	25,530.10
B.C. Open Space	15,700.00
Cty. Of Bergen	1,285,500.00
B.C. Board of Health	18,383.20
Iron Mtn. Mulch	17,739.20
Lerch, Vinci & Higgins	19,000.00
NW Central Dispatch	82,592.14

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Rachles/Michele's	15,594.60
Zuccaro & Sons	19,730.00
SUBTOTAL	\$ 8,891,360.27
Miscellaneous	103,710.95
General Capital	35,286.93
Escrow	5,668.50
Payroll Account	476,137.98
State & Fed. Grt Fund	1,069.00
DDEF Fund	300.00
Animal Control	9,396.81
Developer's Fees	172.00
Total Payment of Bills	\$ 9,523,102.44

ROLL CALL:

Council Member O'Hagan – absent	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara – yes

3. Resolution for Chapter 159 (Clean Communities)

Resolution No.123-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

**Chapter 159 Resolution
Approval of items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the amount of \$16,081.37, which is now available from the State of New Jersey Solid Waste Administration in the amount of \$16,081.37.

BE IT FURTHER RESOLVED that the like sum of \$16,081.37 is hereby appropriated under the caption of Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Solid Waste Administration in the amount of \$16,081.37.

ROLL CALL:

Council Member O'Hagan - absent
Council Member Orseck - yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

4. Resolution Authorizing 2012 Cooperative Paving Bid

Resolution No. 124-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION AWARDING CONTRACT FOR STREET RESURFACING WORK

WHEREAS, the Borough of Ramsey awarded street resurfacing bids on behalf of the Northwest Bergen Cooperative Pricing System, which includes the Borough of Glen Rock, and the lowest responsible bid with the price of asphalt at \$68.50 per ton was received from D & L Paving Contractors, 681 Franklin Avenue, Nutley, New Jersey, with the total bid amount of \$2,155,946.35, and

WHEREAS, the Borough of Ramsey is preparing the master contract as lead agency, and the Borough of Glen Rock must adopt this resolution of bid award, and has scheduled the resurfacing work to begin on or about May 29, 2012, for the resurfacing of streets including Park, Highwood and Norwood Avenues.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Glen Rock that an award be made in an amount not to exceed \$120,000 to D & L Paving Contractors, Inc., subject to certification of funds by the CFO, and a contract approved by the Borough Attorney.

ROLL CALL:

Council Member O'Hagan - absent
Council Member Orseck - yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

5. Resolution Authorizing Civil Rights Policy for the Borough

Resolution No. 125-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

**A RESOLUTION TO AFFIRM THE BOROUGH OF GLEN ROCK'S CIVIL RIGHTS POLICY
WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE
EMPLOYEES, VOLUNTERS, INDEPENDENT
CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO
CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND
VOLUNTEERS**

WHEREAS, it is the policy of the Borough of Glen Rock to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Glen Rock has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Borough Council of the Borough of Glen Rock that:

Section 1: No official, employee, appointee or volunteer of the Borough of Glen Rock by whatever title known, or any entity that is in any way a part of the Borough of Glen Rock shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Glen Rock's business or using the facilities or property of the Borough of Glen Rock.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity that receives authorization or support in any way from the Borough of Glen Rock to provide services that otherwise could be performed by the Borough of Glen Rock.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Glen Rock as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Mayor shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Mayor shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Glen Rock. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Glen Rock's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Glen Rock in order for the public to be made aware of this policy and the Borough of Glen Rock's commitment to the implementation and enforcement of this policy.

ROLL CALL:

Council Member O'Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

6. Resolution Awarding Bid for NJSACOP (The Rodgers Group)

Resolution No. 126-12

Offered by Council Member Surrago

Seconded by Biggs

RESOLUTION AUTHORIZING CONSULTING CONTRACT FOR NEW JERSEY LAW ENFORCEMENT ACCREDITATION PROGRAM

WHEREAS, the Borough of Glen Rock did publish notice to bidders to receive bids on May 8, 2012 for the furnishing of consulting services to obtain Law Enforcement Accreditation from the New Jersey State Association of Chief's of Police and the NJ Law Enforcement Accreditation Program; and

WHEREAS, The Rodgers Group, LLC submitted the only bid for the services requested by the Borough; and

WHEREAS, Chief Frederick P. Stahman of the Glen Rock Police Department has evaluated the bid and has recommended that The Rodgers Group, LLC be awarded the contract; and

WHEREAS, the Borough Attorney has reviewed the bid submissions and has determined the bid of The Rodgers Group, LLC to substantially conform to the bid specifications; and

WHEREFORE, the Chief Financial Officer has provided the Governing Body with Certification of the availability of funds requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the furnishing of consulting services to obtain Law Enforcement Accreditation from the New Jersey State Association of Chief's of Police and the NJ Law Enforcement Accreditation Program The Rodgers Group, LLC , in the amount of a \$37,000.00 be awarded by the Borough of Glen Rock, subject to the execution of a form of contract to be approved by the Borough Attorney.

ROLL CALL:

Council Member O'Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

7. Resolution Adding Quasi Members to the BCMJIF (GRACE & Arboretum)

Resolution No. 126-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION ADDING A QUASI MEMBER TO THE BMJIF

WHEREAS, the Borough of Glen Rock is a participating member of the Bergen Municipal Joint Insurance Fund relative to General Liabilities and other overages; and

WHEREAS, the “FUND” has adopted certain criteria to distinguish between bona fide municipal activities and other quasi-public entities not sponsored by the municipality and therefore, not subject to coverage by the “FUND”; and

WHEREAS, it has been determined that in order to be covered by the “FUND” and organization or activity meet the test that’s its function is of the type that historically municipalities have undertaken themselves or have provided with insurance coverage and/or is one which advances a bona fide local public purpose on a non-profit basis typically met by local government the benefits of which are available to the municipality in general; and

WHEREAS, the Borough has asked the “FUND” to extend General Liability and Non-Owned Automobile Liability Coverage to the following Entities:

CLASS III – General

G.R.A.C.E

Non-Profit Entity

Friends of the Arboretum

Non-Profit Entity

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Glen Rock as follows:

It is certified that the above listed organization exist with the Borough of Glen Rock as the bona fide charitable, educational or recreational activities of the municipality and are, in fact, organization that supports and/or provides services to the municipality in general and as such are sponsored pr subsidized directly or indirectly by the municipality.

The Borough of Glen Rock does hereby request that this organization described herein be named as additional named Insured for General Liability and Non-Owned Automobile Liability Coverage in accordance with the applicable limits and restrictions.

ROLL CALL:

Council Member O’Hagan - absent

Council Member Pazan - yes

Council Member Orseck - yes

Council Member Surrago - yes

Council Member Biggs - yes

Council Member Nogara - yes

8. Resolution Opposing Senate Bills 1451 & 1452

Resolution No. 127-12
Offered by Council Member Surrago
Seconded by Council Member Biggs

Resolution Opposing Senate Bills 1451 and 1452

WHEREAS, legislation has been introduced to reform and modernize both the Open Public Meetings Act (S-1451) and the Open Public records Act (S-1452); and

WHEREAS, the governing body of the Borough of Glen Rock agrees with and supports the statement that “the right of the public to be present at all public meetings of public bodies, and to witness in full detail all phases of the deliberation. Policy formulation, and decision making of public bodies, to the enhancement and proper functioning of the democratic process”; and

WHEREAS, the changes, however, proposed in S-1451 will not only be a driver for local and State government but make government less effective; and

WHEREAS, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees’ meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already established records retention schedule Division of Archive and Records Management for such records to ensure that they are permanent; and
- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to the meeting become part of the minutes and renders the recordings a permanent municipal

record, is workable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and

- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and
- A new requirement that comprehensive minutes must include each member’s stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of the minutes will be lost in order to meet an arbitrary deadline; and

WHEREAS, the governing body of the Borough of Glen Rock agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizens’ reasonable expectation of privacy; and

WHEREAS, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodian to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for “advisory , consultative or deliberative” material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- The inclusion of a subjective definition for “reasonable” that may be contrary to the well established definition in case law leading to costly litigation; and
- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Records Act requirement that requires the redacting of discussions in closed session until the matter can legally be released;
- A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians’ Toolkit, which should be codified; and

- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency’s website; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by “access to a computer”; and
- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and
- A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

WHEREAS, the provisions of S-1451 and S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expenses; and

WHEREAS, the totality of the new requirements of S-1451 and s-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any e means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the Borough of Glen Rock strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 and S-1452 will make government inefficient;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Glen Rock, County of Bergen and State of New Jersey for the reasons stated above, does hereby oppose S-1451 and S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills: and

BE IT FURTHER RESOLVED that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Paul Sarlo, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivlula, the legislators of the 38th State legislative district, Governor Chris Christie, the New Jersey League of municipalities and the Municipal Clerks’ Association of New Jersey.

ROLL CALL:

Council Member O’Hagan - absent
Council Member Orseck - yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

9. Resolution Calling for Restoration of Energy Taxes to Municipalities

Resolution No. 128-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Governing Body of the Borough of Glen Rock that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

ROLL CALL:

Council Member O’Hagan - absent
Council Member Orseck - yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

10. Resolution for Refund of Parking Permit

Resolution No. 129-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION REFUNDING NON RESIDENT COMMUTER PARKING FEE

WHEREAS, Alan Gallatin of 303 Birch Parkway, Wyckoff, NJ purchased a non-resident commuter parking pass for the month of May; and

WHEREAS, upon further consideration of his anticipated commuting during the month of April it doesn’t appear to be beneficial for him after purchasing the non-resident parking pass for \$100.00 which was never used, and

WHEREAS, the Borough Council established a procedure to return unused quarters of the fee on a prorated basis; now therefore

BE IT RESOLVED, that the Borough Council approves a refund of \$100.00 to Alan Gallatin for the month of the May.

ROLL CALL:

Council Member O’Hagan - absent
Council Member Orseck – yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara - yes

11. Resolution Amending Employee Handbook (Policy & Procedures Manual)

Resolution No. 130-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

WHEREAS, the Mayor and Council seek compliance with the MEL requirements for updating the personnel policies and procedures manual,

NOW, THEREBY, BE IT RESOLVED by the Mayor and Council that the Personnel Policies and Procedures Manual/Handbook, is hereby amended as follows:

1. Chapter II entitled “**Employment**,” Section 3 entitled “**American with Disabilities Act Policy**” is hereby deleted in its entirety and replaced with the following:

Section 3. Americans with Disabilities Act Policy.

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, the Borough of Glen Rock does not discriminate based on disability. The Borough of Glen Rock will endeavor to make every work environment handicap assessable and all future construction and renovation of the facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough of Glen Rock to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough of Glen Rock.

The Borough Administrator shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Borough Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough of Glen Rock to offer permanent “light duty” relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting the Borough of Glen Rock facilities. Any questions concerning proper assistance should be directed to the Borough Administrator.

2. Chapter II entitled “**Employment**,” Section 38 entitled Access to Personnel Files Policy has the following deletion and replacement language:

Section 38. Access to Personnel Files Policy and Procedure.

The official personnel file for each employee shall be maintained by the Personnel Officer. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access. ~~Any employee may review their file in the presence of the Personnel Officer upon reasonable notice.~~

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Borough of Glen Rock premises in the presence of the Personnel Administrator or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualifications for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

Personnel files do not contain confidential employee medical information. Any such information that the Borough of Glen Rock may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements.

The Borough of Glen Rock endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough of Glen Rock will release information contained in personnel or medical records to persons outside the Borough Glen Rock. These circumstances include:

- **In response to a valid subpoena, court order of an authorized administrative agency:**
- **To an authorized governmental agency as part of an investigation of the Borough of Glen Rock's compliance with the applicable law:**
- **To the Borough of Glen Rock's agents and attorneys, when necessary;**
- **In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Borough of Glen Rock are parties;**
- **In a workers' compensation proceedings;**
- **To administer benefits plans;**
- **To an authorized health care provider;**
- **To first aid or safety personnel, when necessary; and**

- To a potential future employer or other person requesting a verification of your employment as described in the following section titled. “Requests for Employment Verification and Reference Procedure.”

3. Chapter III entitled “Benefits” is amended by the following:

Section 11. Dental Insurance

The Borough of Glen Rock provides dental insurance coverage for all full-time employees, ~~who must pay 15% of the costs for single coverage benefits through payroll deduction. Employees with dependent dental coverage will pay \$45 per month for dependent coverage.~~

Employees will be eligible for participation in the dental program following the completion of three (3) months continuous service with the Borough of Glen Rock.

New Section added:

Section 13. Flexible Spending Account

The Borough provides a “cafeteria plan” for all employees pursuant to Section 125 of the Internal Revenue Code, including a “Premium Option Plan” (POP) and a Flexible Spending Account (FSA).

✎

4. Chapter VI entitled “Work Rules & Standards” Section 3 entitled E-Mail, Voice Mail and Internet Usage Policy is amended by deleting the first five paragraphs to be replaced with the following:

Borough of Glen Rock respects the individual privacy of its employees. However, e-mail, voicemail, internet, Borough issued cellular devices and computer network are for official business, and use for non-business purposes is prohibited. All e-mail, voice mail and Internet message are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act.

a. Management’s Right to Access Information

E-mail, voicemail and computer network systems have been installed by the Borough of Glen Rock to facilitate business communications. The contents of the systems are accessible at all times by the Borough of Glen Rock. These systems should be treated like other shared filing systems.

E-mail and voicemail messages, to the extent these systems are utilized, are Borough of Glen Rock’s records. The Borough of Glen Rock reserves the right to monitor, obtain, review and disclose all e-mail messages, computer files, voice mail and Internet message on the computer and communications systems of the Borough as deemed necessary and appropriate and without prior notice. By using the Borough’s e-mail, computer systems, voice mail and the Internet, each user agrees that the Borough has unrestricted access and the right to disclose all information communicated or stored on the e-mail computer systems, voice mail and the Internet.

b. Care In Use of E-Mail, Voicemail, Internet and Computer Network Systems

Employees must exercise a greater degree of caution in transmitting the Boroughs confidential information on the e-mail, voicemail, Internet and computer network systems than they take with other means of communicating information, because of the ease with which such information can be redistributed and the public access to such information through the open Public records Act. Please make sure that all addresses are appropriate recipients of the information to be distributed, via e-mail, voicemail, internet, text message or other electronic forms of communication especially when distributing information to a list of recipients.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence with any personal analog or digital devices, camera, imaging device, audio recorder or cellular telephone. This section also applies to off duty scenarios regarding any law enforcement related activities. Any photographs, images or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code guidelines or directives concerning storage release and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisors as soon as practical. For the purposes of this section, an “emergency situation” involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief and may include accidents, crimes and flights from accidents or crimes.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with a personal or agency analog or digital device, camera or cellular phone to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Borough Administrator.

c. Personal Use of E-Mail, Voicemail, Internet and Computer Network Systems

Because the Borough provides e-mail, voicemail, Internet, cell phones, and computer network systems to assist employees in performing their jobs, employees should use them for official business. The Borough reserves the right to access and disclose as necessary all messages sent over its systems, without regard to content.

Since the contents of e-mail and voicemail may be accessed by the Borough without prior notice to employees, and since the Borough can monitor employee’s use of its computer network systems, employees should not use any of the systems to transmit any messages they would not want to disclose to a third party. Employees that maintain personal web pages and web sites including but not limited to Facebook, You Tube, Myspace, Twitter, etc., shall not post information on such sites that would constitute a violation of personnel policies of the Borough of Glen Rock if expressed or published using any other medium or any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be grounds for the imposition of disciplinary action against the employee if the words, phrases, photographs, images or information adversely reflects on the employee’s fitness for duty or constitutes a violation of the personnel policies of the Borough of Glen Rock. Moreover, employees should not use these systems

for soliciting or proselytizing others for commercial ventures, religious or personal causes, outside organizations or other similar, non-job-related solicitations.

d. Forbidden Content of E-Mail, Voicemail, Internet and Computer Network Systems Communications

Employees, may not use the e-mail, voicemail, Internet computer network systems, or Borough Issued Cell Phone or any other Borough issued electronic device in any way that may be seen as insulting, defamatory, obscene, harassing, disruptive, or offensive by other persons or as harmful to morale. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be constructed to be harassment or disparaging to others based on their actual or perceived sex, sexual orientation, gender, gender identity, transgender, race color, national origin, citizenship status, ancestry, age, marital status, medical conditions, mental or physical disability, veteran status, religious or political beliefs, or any other characteristic protected by federal, state, or local law, ordinance or regulation.

Violations of the Borough’s policy of the use of e-mail, voicemail, Internet, complete network systems and borough issued Cell Phones or any other Borough issued electronic device will subject the employee to discipline, up to and including immediate termination.

e. Unauthorized Access

Employees are prohibited from the unauthorized use of the password(s) of other employees to gain access to another employee’s messages in the e-mail, voicemail, Internet or computer network systems including but no limited to all secured access software that employees may have access to.

5. All section numbers and table of contents within the Employee Handbook shall be renumbered accordingly; and be it further

RESOLVED that this amendment to the personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

ROLL CALL:

Council Member O’Hagan – absent
Council Member Orseck – yes
Council Member Biggs – yes

Council Member Pazan – yes
Council Member Surrago – yes
Council Member Nogara – yes

12. Resolution Establishing a New Dedication By Rider Account – POAA

Resolution No. 131-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

Resolution: Establishing a New Dedication By Rider Account

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Minutes of Public Council Meeting – May 23, 2012

WHEREAS, permission has been pre approved by the Director of the Division of Local Government Services for a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Parking Offenses Adjudication Act, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services has pre approved under blanket provision the expenditure of those monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Rock, County of Bergen, State of New Jersey as follows:

1. The Borough Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Parking Offenses Adjudication Act as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Borough of Glen Rock is hereby directed to forward two certified copies of the resolution to the Director of the Division of Local Government Services.

ROLL CALL:

Council Member O’ Hagan – absent

Council Member Pazan - yes

Council Member Orseck – yes

Council Member Surrago – yes

Council Member Biggs - yes

Council Member Nogara - yes

13. Resolution Establishing a New Dedication by Rider Account – Tree Trust Fund

Resolution No. 132-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

Resolution: Establishing a New Dedication By Rider Account

WHEREAS, permission has been pre approved by the Director of the Division of Local Government Services for a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Donations – Tree Trust Fund, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services has pre approved under blanket provision the expenditure of those monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Rock, County of Bergen, State of New Jersey as follows:

1. **The Borough Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Tree Trust Fund as per N.J.S.A. 40A:4-39.**
2. **The municipal clerk of the Borough of Glen Rock is hereby directed to forward two certified copies of the resolution to the Director of the Division of Local Government Services.**

ROLL CALL:

Council Member O’ Hagan – absent
Council Member Orseck – yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara - yes

14. Resolution Establishing a New Dedication by Rider Account – AED

Resolution No. 133-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

**Resolution: Establishing The Glen Rock A.E.D. Committee and a
 New Dedication by Rider Account**

WHEREAS, the Glen Rock Director-Parks and Recreation, and the Glen Rock Advisory Board (“R.A.B.”) have been approached by Borough residents willing to undertake the effort to raise sufficient charitable contributions to the Borough of Glen Rock to install Automated External Defibrillator (A.E.D.) on every sports fields maintained by the Borough of Glen Rock; and

WHEREAS, The Director and the R.A.B. endorse these efforts and have recommended that the Governing Body support this charitable project in providing a safer environment for the sport participants, coaches and spectators; and

WHEREAS, the Governing Body gratefully endorses and accepts the charitable efforts of the A.E.D. project participants to seek charitable contributions/donations on behalf of the Borough of Glen Rock which will allow the Borough to purchase A.E.D. units and water-proofed housing units for all Borough controlled sports fields, and

WHEREAS, permission has been pre approved by the Director of the Division of Local Government Services for a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Donations- Automated External Defibrillators (A.E.D.) Trust Fund; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services has pre approved under blanket provision the expenditure of those monies by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Rock, County of Bergen, State of New Jersey as follows:

1. The Borough Council hereby designates Julie Cunningham, Megan Leblanc, Jen Dorsey, Susan Whalen and Melissa Russo as members of the Glen Rock A.E.D. Committee who are responsible for undertaking charitable efforts on behalf of the Borough of Glen Rock to solicit public and private donations for the purchase of A.E.D. and related equipment to be placed at all Borough controlled sports fields, and acknowledge that these efforts will advance a bonafide and significant local public purpose on behalf of the Borough of Glen Rock.
2. All charitable donations collected by the members of the Glen Rock A.E.D. Committee shall be deposited in a segregated and dedicated account maintained solely by the Borough of Glen Rock to be entitled "Glen Rock A.E.D. Trust Fund".
3. The Borough Council hereby requests permission of the Director of the Division of Local Government services to pay expenditures for Donations - Glen Rock A.E.D. Trust Fund as per N.J.S.A. 40A:4-39.
4. The municipal clerk of the Borough of Glen Rock is hereby directed to forward two certified copies of the resolution to the Director of the Division of Local Government Services.

ROLL CALL:

Council Member O'Hagan - absent
Council Member Orseck - yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

15. Resolution for Tax Appeal Refund (B112 L7)

Resolution No. 134-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B112, L 7)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Ligerie Burns v. Borough of Glen Rock bearing Docket Nos. 015948-2010 and 017663-2011; and Bergen County Board of Taxation Appeal for 2012; and

WHEREAS, the Borough's Tax Assessor, Steven Rubenstein, has reviewed the property record card, income and expense analysis and has made a physical inspection of the property; and

WHEREAS, the Tax Assessor, has recommended a modification to the year(s) 2011 and 2012 assessments; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiff’s attorney, and their real estate expert/consultant and the Borough Acting Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
Ligerie Burns	112/7	2010		WITHDRAWN
Ligerie Burns	112/7	2011	\$993,100.00	\$925,000.00
Ligerie Burns	112/7	2012	\$993,100.00	\$900,000.00

2. Statutory interest pursuant to NJSA 54:3-27.2 having been waived by the taxpayer shall not be paid provided the tax refund, if any, is paid within 60 days of the date of entry of the Tax Court Judgment.

3. The provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall be applicable for the Freeze Act years established by the statute. This judgment is a final disposition of the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

4. Overpayments shall be applied as credits to the current tax year in lieu of payment.

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Orseck - yes	Council Member Surrago – yes
Council Member Biggs – yes	Council Member Nogara – yes

16. Resolution for Redemption of Tax Sale Certificate (B216L7)

Resolution No. 135-12
Offered by Council Member Surrago
Seconded by Council Member Biggs

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the following municipal tax sale on December 7, 2011, a lien was sold to MTAG SERVICES on Block 216 Lot 7, also known as 110 Winslow Terrace in Glen Rock, NJ,

To Redeem the TAX SALE CERTIFICATE #2011-008 at 0% in the amount of \$16,323.19, redemption penalty of \$979.39, fees of \$52.00, subsequent taxes for all of 2011 and 1st quarter 2012 in amount of \$19,626.49 and interest of \$292.22 the total to redeem is \$37,273.29,

Also due to MTAG SERVICES is a PREMIUM in the amount of \$17,000.00,

NOW THEREFORE BE IT RESOLVED, the CFO is authorized to issue a check for \$37,273.29 payable to MTAG SERVICES and a check for the premium of \$17,000.00 payable to MTAG SERVICES, to complete the redemption of the above certificate and subsequent taxes paid.

ROLL CALL:

Council Member O'Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

17. Resolution for Redemption of Tax Sale Certificate (B239L12)

Resolution No. 136-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the following municipal tax sale on December 7, 2011, a lien was sold to MTAG SERVICES on Block 239 Lot 12, also known as 167 Gaynor Place in Glen Rock, NJ,

To Redeem the TAX SALE CERTIFICATE #2011-007 at 0% in the amount of \$14,369.18, redemption penalty of \$862.15, recording fees of \$55.00, the total to redeem is \$15,286.33,

Also due to MTAG SERVICES is a PREMIUM in the amount of \$27,000.00,

NOW THEREFORE BE IT RESOLVED, the CFO is authorized to issue a check for \$15,286.33 payable to MTAG SERVICES and a check for the premium of \$27,000.00 payable to MTAG SERVICES, to complete the redemption of the above certificate.

ROLL CALL:

Council Member O'Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

18. Resolution for Tax Appeal Refund (B175L1.03)

Resolution No. 137-12

Offered by Councilman Surrago

Seconded by Councilman Biggs

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 175, L 1.03)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Randi and Tedd Kochman v Borough of Glen Rock bearing Docket No. 008809-2011 and XXXXXX-2012

WHEREAS, the Borough’s Tax Assessor, Steven Rubenstein, has reviewed the property record card, income and expense analysis and has made a physical inspection of the property; and

WHEREAS, the Tax Assessor, has recommended a modification to the 2011 and 2012 assessments; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiff’s attorney, and their real estate expert/consultant and the Borough Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement¹:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
Randi & Tedd Kochman	175/1.03	2011	\$1,136,300.00	Withdrawn
Randi & Tedd Kochman	175/1.03	2012	\$1,136,300.00	\$1,050,000.00

2. Taxpayer agrees to waive prejudgment interest provided that the tax refund is paid within sixty (60) days of the judgment.

3. The provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall be applicable for the year(s) 2012 (Freeze Act year). This judgment is a final disposition of the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

ROLL CALL:

Council Member O’Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

19. Resolution for State Tax Overpayment Refund (B111L1)

Resolution No. 138-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 111 Lot 1 located at 217 Rock Road., Glen Rock, NJ, there was a Settlement agreed to for the assessed value in the amount of \$1,800,000.00, valid for 2011,

THEREFORE, the amount of taxes paid by Boiling Spring Savings Bank, in 2011 was \$64,376.76 and with the approved change in assessment the amount should have been \$46,710.00 so that there is an over payment of \$17,666.76,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses MATTHEW J. O'DONNELL, ESQ., ATTY FOR BOILING SPRING SAVINGS BANK in the amount of \$17,666.76.

ROLL CALL:

Council Member O'Hagan – absent

Council Member Orseck - yes

Council Member Biggs – yes

Council Member Pazan - yes

Council Member Surrago – yes

Council Member Nogara – yes

20. Resolution for State Tax Overpayment Refund (B112L2)

Resolution No. 139-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 112 Lot 2 located at 252 Rock road., Glen Rock, NJ, there was a Settlement agreed to for the assessed value in the amount of \$1,294,000., valid for 2010, and for 2011 an assessed value of \$1,244,000.00,

THEREFORE, the amount of taxes paid by Bank of America, in 2010 was \$34,485.11 and with the approved change in assessment the amount should have been \$32,595.86 and for 2011 Bank of America paid \$35,525.55 and with approved change in assessment the amount should have been \$32,281.80 so that there is an over payment of \$1,889.25 in 2010 and \$3,243.75 in 2011,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Bruce J. Stavitsky, Esq for the benefit of Bank of America, a total of \$5,133.00.

ROLL CALL:

Council Member O’Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

21. Resolution for State Tax Overpayment Refund (B115L9)

Resolution No. 140-12

Offered by Council Member Surrago

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 115 Lot 9 located at 102 Glen Ave., Glen Rock, NJ, there was a Settlement agreed to for the assessed value in the amount of \$661,800.00, valid for 2011,

THEREFORE, the amount of taxes paid by Edward Kramer, in 2011 was \$19,203.00 and with the approved change in assessment the amount should have been \$17,173.71 so that there is an over payment of \$2,029.29,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Stavitsky & Associates LLC for the benefit of Edward Kramer at address 102 Glen Ave. in the amount of \$2,029.29.

ROLL CALL:

Council Member O’Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

Motion to accept consent agenda by Council Member Surrago
Seconded by Council Member Biggs

ROLL CALL:

Council Member O’Hagan – absent
Council Member Orseck - yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara – yes

4, Department Reports

Council member Pazan (*Finanace*) – The next Finance Committee meeting will be June 11, 2012 at 6:30 p.m. will be a Finance Committee with discussions on the budget for 2013. Council member Pazan commented many of the bills paid this month are County shared services.

Council member Surrago (*Public Works*) – Paving will begin on May 29th on Park, Norwood, Highwood and Dean Street. Residents have been notified. May 29th is also the start date for construction at the Recycling Center. The construction will be done in stages which will result in significant improvements at the Center. Council member Surrago also explained the various sorting processes for recycling materials which the Borough uses. The use of the Recycling Center is the most effective way to recycle with curbside pick-up secondary.

Council member Nogara (*Licenses & Franchises*) – Thanked all the committee chairs for the time and dedication.

Council member Orseck (*Recreation*) – This weekend will be the annual Memorial Day tournament. The pool will also be opening this weekend. Memberships to date are up compared to last year. Council member Orseck also thanked Hank Allen for his unfaltering dedication to the pool.

Council member Biggs (*Communications*) – The Borough is in the process of hiring a Communications Coordinator. We have done quite a bit with Facebook and the borough website. A reminder was sent to resident’s who have signed up for alerts, regarding the last day of discounted pool badges, which was well received. GRTV continues to do great work and cover many activities throughout the town.

Mayor van Keuren added this is EMS Week which was kicked off with a pancake breakfast on Sunday. Glen Rock would not be the borough it is if we didn’t have these volunteers to which we are greatly appreciative.

Motion to accept consent agenda by Council Member Pazan
Seconded by Council Member Orseck

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Orseck - yes	Council Member Surrago – yes
Council Member Biggs – yes	Council Member Nogara – yes

5, Ordinances

**Ordinance Procedure # 1663 (Bond Ordinance #1573, #1602)
Date of Introduction: May 23, 2012**

**Council Resolution #141-12
Introduced by Council Member Nogara
Seconded by Council Member Orseck**

Be It Resolved by the Borough Council of the Borough of Glen Rock that of A BOND ORDINANCE TO AMEND THE FOLLOWING BOND ORDINANCES PREVIOUSLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY: (1) BOND ORDINANCE NO. 1573 ADOPTED ON JUNE 11, 2008 AND (2) BOND ORDINANCE NO. 1602 ADOPTED ON JUNE 10, 2009.

Heretofore introduced and does now pass on first reading, and that the said Ordinance be further considered for final passage at a meeting to be held on June 13, 2012 at 8:00 p.m., or as soon thereafter as the matter can be reached, at the Municipal Building in the Borough of Glen Rock, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance in the Bergen Record according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ROLL CALL:

Council Member O'Hagan - absent
Council Member Orseck – yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

ORDINANCE NO. 1663

BOND ORDINANCE TO AMEND THE FOLLOWING BOND ORDINANCES PREVIOUSLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY: (1) BOND ORDINANCE NO. 1573 ADOPTED ON JUNE 11, 2008 AND (2) BOND ORDINANCE NO. 1602 ADOPTED ON JUNE 10, 2009.

BE IT ORDAINED by the Borough Council of the Borough of Glen Rock, in the County of Bergen, New Jersey, as follows:

Section 1. Section 4.J of ordinance no. 1573 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$599,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

adopted by the Borough Council of the Borough of Glen Rock, in the County of Bergen, New Jersey (the "Borough") on June 11, 2008 is hereby amended to change the purpose authorized from undertaking Phase I of the Borough Records Preservation Project to renovation and improvement of, and construction of an addition to, the Municipal Building, and shall hereafter read as follows:

"[Section 4.J]. Renovation and improvement of, and construction of an addition to, the Municipal Building.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 13,300
Bonds and Notes Authorized	\$ 36,700
Period of Usefulness	5 years."

Section 2. Section 4.I of ordinance no. 1602 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$990,000 TO PAY THE COST THEREOF, TO APPROPRIATE A FEDERAL GRANT, TO MAKE

A DOWN PAYMENT, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

adopted by the Borough Council of the Borough on June 10, 2009 is hereby amended to change the purpose authorized from undertaking Phase II of the Borough Records Preservation Project to renovation and improvement of, and construction of an addition to, the Municipal Building, and shall hereafter read as follows:

"[Section 4.]I. Renovation and improvement of, and construction of an addition to, the Municipal Building.

Appropriation and Estimated Cost	\$ 50,000
Capital Surplus Appropriated	\$ 50,000
Period of Usefulness	5 years."

Section 3. The capital budget is hereby amended to conform with the provisions of this amending ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Ord. # 1664 - First Reading - AN ORDINANCE TO AMEND CHAPTER 216 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "VEHICLES AND TRAFFIC", BEING AN ORDINANCE REGULATING THE PARKING AND OPERATION OF VEHICLES WITHIN THE BOROUGH; TO LIMIT PARKING ON HILLMAN AVENUE - *POSTPONED*

5. MEETING OPEN TO THE PUBLIC: (Before speaking at the meeting, each person must state their name and address. 5 minute limit)

Jim Seaton – Ferndale Avenue – Commented there is no separation of glass at the Recycling Center. Council member Surrago commented the current vendor used gives us a good price for co-mingled glass.

Bill Frank – Hillman Avenue – Expressed concern with the postponement of the Hillman Avenue parking ordinance. Mr. Frank questioned the postponement and gave numerous reasons why the Council should move forward on the ordinance.

6. ADJOURNMENT

**Motion to adjourn the meeting was made by Council member Surrago
Seconded by Council member Nogara
Meeting adjourned at 8:57 p.m.**